

**JC10 Rec'd PCT/PTO 18 JUL 2005**

PTO/SB/21 (09-04)

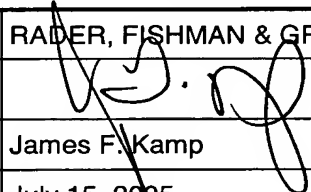
Approved for use through 07/31/2006. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |                        |                    |
|---|--|------------------------|--------------------|
| <h1 style="text-align: center;">TRANSMITTAL<br/>FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> |  | Application Number     | 10/531,002         |
|   |  | Filing Date            | April 12, 2005     |
|   |  | First Named Inventor   | Stefan K. Lipinski |
|   |  | Art Unit               | N/A                |
|   |  | Examiner Name          | Not Yet Assigned   |
| Total Number of Pages in This Submission  |  | Attorney Docket Number | 66221-0042         |

| ENCLOSURES (Check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO Form SB/08<br>Copies of articles & non-U.S. references<br>Return Receipt Postcard |
| <div style="border: 1px solid black; padding: 5px; min-height: 40px;">         Remarks       </div>  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | RADER, FISHMAN & GRAUER PLLC  |          |        |
| Signature                                  |  |          |        |
| Printed name                               | James F. Kamp   |          |        |
| Date                                       | July 15, 2005   | Reg. No. | 41,882 |

| Transmittal  |   |
|--|---|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. |   |
| Dated: July 15, 2005   | Signature:  (Wendy A. Balabon) |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 15, 2005

Signature: 

(Wendy A. Bajabon)

Docket No.: 66221-0042  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Stefan K. Lipinski et al.

Application No.: 10/531,002

Confirmation No.: @@@

Filed: April 12, 2005

Art Unit: N/A

For: IMPROVED IMMUNOTHERAPY

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each non-U.S. reference and article on the PTO/SB/08 is attached. Under the provisions of 37 CFR 1.98(d), a copy of the U.S. references listed on the attached form PTO-1449 are not required to be provided herewith and therefore are not submitted herewith.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any

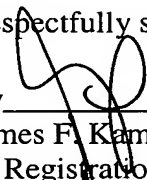
patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-0013, under Order No. 66221-0042. A duplicate copy of this paper is enclosed.

Dated: July 15, 2005

Respectfully submitted,

By  \_\_\_\_\_

James F. Kamp

Registration No.: 41,882

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0656

Attorney for Applicant

Application No. (if known): 10/531,002

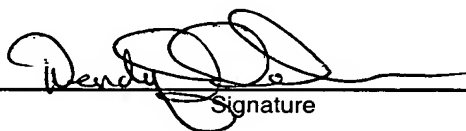
Attorney Docket No.: 66221-0042

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 15, 2005  
Date



Signature

Wendy A. Balabon

Typed or printed name of person signing Certificate

Registration Number, if applicable

(248) 594-0615

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (14 References) (2 pages)  
Information Disclosure Statement  
1 Copy of each article (8) and each foreign reference (4)  
PCT International Search Report (6 pages)  
Transmittal  
Return Receipt Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|   |   |    |                          |                        |            |
|---|---|----|--------------------------|------------------------|------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    | <b>Complete if Known</b> |                        |            |
|   |   |    | Application Number       | 10/531,002             |            |
|   |   |    | Filing Date              | April 12, 2005         |            |
|   |   |    | First Named Inventor     | Stefan K. Lipinski     |            |
|   |   |    | Art Unit                 | N/A                    |            |
|   |   |    | Examiner Name            | Not Yet Assigned       |            |
| Sheet   | 1 | of | 2                        | Attorney Docket Number | 66221-0042 |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       | AA                    | US-5,830,464-A  | 11-03-1998                     | Pramod K. Srivastava                               |   |
|                       | AB                    | US-5,182,109-A  | 01-26-1993                     | Shinichi Tamura et al.                             |   |
|                       |                       |   |                                |  |   |
|                       |                       |   |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                       |   |                                |   |   |   |
|--------------------------|-----------------------|---|--------------------------------|---|---|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
|                          |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |   |   |   |
|                          | BA                    | WO-96/05866-A2  | 02-29-1996                     | Thomas Blankenstein; Max Delbrueck Centrum      |   | ✓ |
|                          | BB                    | WO-01/64739-A1  | 09-07-2001                     | Cobra Therapeutics Ltd.                         |   |   |
|                          | BC                    | WO- 01/35810-A2   | 05-25-2001                     | Dana-Farber Cancer Institute, Inc.              |   |   |
|                          | BD                    | WO- 98/17799-A1   | 04-30-1998                     | The Trustees Of The University of Pennsylvania  |   |   |
|                          | BE                    | WO- 98/17799-A1<br>Corrected Version  | 04-30-1998                     | The Trustees Of The University of Pennsylvania  |   |   |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.   | T <sup>2</sup> |
|                                 | CA                    | PCT/GB International Search Report for PCT/GB 03/04388, 6 pages.  |                |
|                                 | CB                    | Q.K. Rahman et al, "Breaking the Non-Responsiveness of C57BL/6 Mice to the Malarial Antigen EB200 - The Role of Carrier and Adjuvant Molecules," Scandinavian Journal of Immunology, vol. 58, no. 4, October 2003, pages 395-403, XP-002272656.   |                |
|                                 | CC                    | Database Biosis 'Online! Biosciences Information Service, Philadelphia, PA, US; Shengwu Huazue Yu Shengwu Wuli Xuebao, May 2001; Li Ming_Feng et al: "A Candidate Oral Vaccine to Helicobacter pylori: Fusion protein of HspA and CtxB"; Database accession no. prev200100290633, XP-002272812                  |                |
|                                 | CD                    | A. Hakim Djeha et al., "Expression of <i>Escherichia coli</i> B Nitroreductase in Established Human Tumor Xenografts in Mice Results in Potent Antitumoral and Bystander Effects upon Systemic Administration of the Prodrug CB1954," Cancer Gene Therapy, vol. 7, no. 5, May 2000, pages 721-731, XP-001015218 |                |
|                                 | CE                    | Nathalie E. Blachere et al., "Heat Shock Protein Vaccines Against Cancer," Journal of Immunotherapy, Raven Press, New York, NY, vol. 14, no. 4, 1993, pages 352-356, XP-000973693   |                |
|                                 | CF                    | Xu Guang et al., "Strategies for Enzyme/Prodrug Cancer Therapy," Clinical Cancer Research: An Official Journal of the American Association for Cancer Research. US, November, 2001, vol. 7, no. 11, pages 3314-3324, XP-002272658.  |                |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

|   |   |    |   |                          |                    |
|---|---|----|---|--------------------------|--------------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                    |
|   |   |    |   | Application Number       | 10/531,002         |
|   |   |    |   | Filing Date              | April 12, 2005     |
|   |   |    |   | First Named Inventor     | Stefan K. Lipinski |
|   |   |    |   | Art Unit                 | N/A                |
|   |   |    |   | Examiner Name            | Not Yet Assigned   |
|   |   |    |   | Attorney Docket Number   | 66221-0042         |
| Sheet   | 2 | of | 2 |                          |                    |

|  |    |   |  |
|--|----|---|--|
|  | CG | Jane I. Grove et al., "Virus-Directed Enzyme Prodrug Therapy Using CB1954," Anti-Cancer Drug Design, Basingstoke, GB, vol. 14, no. 6, December 1999, pages 461-472, XP-009003925.                               |  |
|  | CH | Pramod K. Srivastava et al., "Heat Shock Protein-Peptide Complexes In Cancer Immunotherapy," Current Opinion in Immunology, Current Biology Ltd., London, GB, vol. 6, no. 5, 1994, pages 728-732, XP-002037578. |  |
|  |    |   |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|